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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/474,138	12/29/1999	ERIK L. SMITH	2685/5393	1912

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WASHINGTON, DC 20005

EXAMINER
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NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 11/20/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/474,138

Applicant(s)

SMITH, ERIK L.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 8/28/03.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-14,16-18,20,23,25-28 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-14,16-18,20,23,25-28 and 30-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claim 1 is rejected because it reads on existing well-known features.

Claim 1 simply reads on a subscriber having two separate services: fixed site device service, for example a home or office telephone number with Verizon, and a mobility device service, for example a wireless telephone number with Verizon wireless. The subscriber may subscribe to the conventional call forwarding service for each of his/her fixed and mobility device. Thus a busy/no answer condition at the fixed device will cause an incoming call to be forwarded to the mobility device, and a busy/no answer condition at the mobility device will cause an incoming call to be forwarded to the fixed device.

#### ***Claim Rejections - 35 USC § 102***

3. Claims 1, 4, 13, 16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hartmaier et al. (U.S. Patent 5,978,672).

Regarding claim 1, Hartmaier et al. teach a method for forwarding an incoming call addressed to one of a plurality of Directory Numbers belonging to a subscriber, the plurality of Directory numbers being associated with an integrated system adapted to service both fixed-site devices and mobility devices including: receiving an incoming call at one of a number corresponding to a fixed-site device (Fig. 6, "office telephone") and a number corresponding to a mobility device ("mobile telephone 601") belonging to the

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subscriber; determining that a busy/no-answer ("busy/inactive") condition exists for the device corresponding to the number at which the incoming call is received; consult a call forward setting for the subscriber (col. 16, Table 2); and performing a call forwarding action ("routing") to the mobility device ("wireless 601") if the busy/no answer condition exists for the fixed-site device ("wire line telephone"), or to the fixed-sited device if the busy/no answer condition exists for the mobility device, based upon the call forward setting of the subscriber (col. 15, line 48 through col. 16, line 17).

Regarding claim 4, Hartmaier et al. teach the incoming call is received at a PBX that stores call forward setting for the subscriber (Table 2 and col. 15, lines 25-27), and based upon the subscriber's call forward setting, forwards the call to a mobility device belonging to the subscriber or sending the call to a Mobile Switching Center associated with the Directory Number of the subscriber's mobility to the subscriber (col. 15, line 48 through col. 16, line 17).

Claims 13 and 18 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Hartmaier et al. teach a medium/memory coupled to processor for storing instructions (SCP 102, 202).

Regarding claim 16, Hartmaier et al. teach the instructions are to be executed by a processor (SMS 106 or SP processor 211, 311).

***Claim Rejections - 35 USC § 103***

4. Claims 2, 3, 10-12, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartmaier et al. (U.S. Patent 6,301,474) in view of Harlow et al. (U.S. Patent 5,206,901).

Regarding claims 2, 10, and 11, Hartmaier et al. teach the fixed site device is a fixed-site telephone ("office telephone 606") belonging to the subscriber. Hartmaier et al. do not teach the incoming call or performing call forwarding is received at a Class 5 Switch associated with the subscriber's fixed-site telephone.

Harlow et al. teach the incoming call or performing call forwarding is received at a Class 5 Switch associated with the subscriber's fixed-site telephone (col. 5, lines 61-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of performing a call forwarding is received at a Class 5 Switch associated with the subscriber's fixed-site telephone, as taught by Harlow et al., in Hartmaier's system in order to have a variety of landline switching.

Regarding claim 3, Hartmaier et al. teach the automatic redirection between wire line and wireless networks, determines that a busy/no-answer condition exists at the device, consults the subscriber's call forward setting (Table 2), and based upon the subscriber's call forward setting, forwards the call to a mobility device belonging to the subscriber or sending the call to a Mobile Switching Center associated with the Directory Number of the subscriber's mobility to the subscriber (col. 15, line 48 through col. 16, line 17).

Regarding claim 12, Hartmaier et al. teach detecting a busy/no-answer condition at the fixed site telephone, and routing the call to voice mail (col. 16, Table 2).

Regarding claim 14, Harlow discloses the instructions are adapted to be executed by a processor in a Class 5 Switch (Fig. 1, 110, 120, and 130).

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5. Claims 5, 6, 7, 9, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartmaier et al. (U.S. Patent 6,301,474).

Regarding claims 5, 6, 9, 17, and 20, Hartmaier et al. teach callers dial the mobile number and be routed as outlined in Table 2. However, Hartmaier et al. do not teach detail steps of: receiving/sending a request for routing information from the Mobile Switching Center at a Home Location Register; queries HLR 602 with location request; sending/receiving routing information based on the number returns from HLR. It would have been obvious to one of ordinary skill in the art that when the caller dial the mobile number, a request for routing information was sending from the Mobile Switching Center at a Home Location Register (Fig. 6, HLR 602); queries HLR 602 with location request (col. 10, lines 32-37); sending/receiving routing information based on the number returns from HLR 602.

Regarding claim 7, Hartmaier et al. teach detecting a busy/no-answer ("busy or active/inactive") condition at the mobility device, and routing the call to voice mail (col. 16, Table 2).

6. Claims 23, 25-28, and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Creamer et al. (U.S. Patent 6,028,917) in view of Hartmaier et al. (U.S. Patent 6,301,474).

Regarding claim 23, 25, and 30, Creamer et al. teach a system that utilizes computers link through the Internet or web ("browser-capable" - Fig. 1, 6) to modify parameters of telephone services, for example, parameters of a standard service such as call forwarding by an authorized end user (col. 2, lines 46-64).

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Creamer et al. do not teach a subscriber profile in a HLR.

Hartmaier et al. teach the HLR stores user profiles (col. 10, line 34).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of updating the subscriber profile in a HLR, as taught by Hartmaier, in Creamer's system in order to allow updating the call forward setting from a subscriber in both wire line and wireless networks environment.

Regarding claims 26 and 27, Creamer et al. teach the user device is a personal computer (computer 16), a mobility device, i.e. laptop.

Claim 28 is rejected for the same reasons as discussed above with respect to claim 23. Furthermore, Creamer et al. teach voice peripheral computers and other computers are components of intelligent peripheral systems within resource management networks constructed in accordance with the AIN architecture are adapted/program to be executed by a processor (col. 6, lines 22-43).

Claims 31 and 32 are rejected for the same reasons as discussed above with respect to claims 23 and 25.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-7, 9-14, 16-18, 20, and 23-32 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that claim 1 was rejected as reading on a subscriber having two separate services and accordingly, claim 1 has been amended to recite, "An integrated system adapted to service both fixed-site devices and mobility devices". Examiner respectfully submit that claim 1 is rejected as reading on existing well-known features is

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maintained because of the following reasons: Verizon and Verizon wireless is an integrated system adapted to service local, long distance, and wireless.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen  
November 4, 2003

  
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